

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION  
No. 4:12-CV-154-D

NORTH CAROLINA ENVIRONMENTAL )  
JUSTICE NETWORK, NEUSE )  
RIVERKEEPER FOUNDATION, INC., )  
and WATERKEEPER ALLIANCE, INC., )

Plaintiffs, )

v. )

DONALD TAYLOR and )  
ANNIE TAYLOR, individually and )  
d/b/a TAYLOR FINISHING, )  
JUSTIN T. MCLAWHORN, and )  
AARON MCLAWHORN, )

Defendants. )

**ORDER**

On May 30, 2013, defendants filed a motion to dismiss [D.E. 71]. See Fed. R. Civ. P. 12(b)(1), 12(b)(6). On June 21, 2013, plaintiffs responded in opposition [D.E. 73].

The court has reviewed the second amended complaint and the record in light of the governing standards, the motion to dismiss [D.E. 71] is DENIED.

SO ORDERED. This 26 day of August 2013.

  
JAMES C. DEVER III  
Chief United States District Judge